

STEVEN S. ALM
United States Attorney
District of Hawaii

ELLIOT ENOKI
First Assistant U.S. Attorney

THOMAS J. BRADY
Assistant U.S. Attorney
Room 6100, PJKK Federal Bldg.
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 8 2000
at 2 o'clock and 26 min. P.M.
WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 00-00319 SOM
)	
Plaintiff,)	FIRST SUPERSEDING INDICTMENT
)	
v.)	[21 U.S.C. §§ 846, 841(a)(1),
)	853, 861; 18 U.S.C. §§
IOSUA TUUMALO,)	924(c)(1), 1956(a)(1)(B)(i),
)	1956(a)(1)(A)(i), 1956(h),
)	982(a)(1), 2]
Defendant.)	
)	

FIRST SUPERSEDING INDICTMENT

COUNT 1

The Grand Jury charges that:

On or about July 13, 2000, in the District of Hawaii,
IOSUA TUUMALO, as an aider and abettor, did knowingly and
intentionally possess with intent to distribute and distribute in
excess of five grams of methamphetamine, a Schedule II controlled
substance.

All in violation of Title 21, United States Code,
Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 2

The Grand Jury further charges that:

On or about July 14, 2000, in the District of Hawaii,
IOSUA TUUMALO, as an aider and abettor, did knowingly and
intentionally possess with intent to distribute and distribute
methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code,
Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 3

The Grand Jury further charges that:

On or about July 20, 2000, in the District of Hawaii,
IOSUA TUUMALO did knowingly and intentionally possess with intent
to distribute in excess of 50 grams of crystal methamphetamine, a
Schedule II controlled substance.

All in violation of Title 21, United States Code,
Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 4

The Grand Jury further charges that:

From a date unknown, but from at least July 10, 2000,
to on or about July 20, 2000, within the District of Hawaii and
elsewhere, IOSUA TUUMALO, defendant herein, did conspire with
Edwin Kelekolio, Jr. and Mailei Loa, who are not charged in the

First Superseding Indictment, and with others unknown to the Grand Jury, to knowingly and intentionally possess with intent to distribute in excess of 50 grams of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

OVERT ACTS

In furtherance of the conspiracy and to accomplish the objects thereof, the following overt acts were committed in the District of Hawaii and elsewhere by members of the conspiracy:

1) On or about July 10, 2000, Mailei Loa went to Zippy's restaurant, located on Kapahulu Avenue, Honolulu, Hawaii, and discussed plans to distribute crystal methamphetamine, commonly referred to as "ice."

2) On or about July 13, 2000, Mailei Loa and Edwin Kelekolio, Jr. met with another person at the same Zippy's restaurant, located on Kapahulu Avenue, Honolulu, Hawaii, for the purpose of receiving a \$2,700 cash payment for one (1) ounce of crystal methamphetamine, which Kelekolio, Jr. had previously received from IOSUA TUUMALO.

3) On or about July 14, 2000, Mailei Loa and Edwin Kelekolio, Jr. met with another person at the Karaoke Hut, also located on Kapahulu Avenue, Honolulu, Hawaii and provided that person with small plastic bag containing methamphetamine as a

sample of the quality of methamphetamine available for larger requests for methamphetamine.

4) On or about July 14, 2000, Edwin Kelekolio, Jr., through the use of the telephone, negotiated with another person the sale of two (2) pounds of "ice" in exchanged for \$66,000 in cash.

5) On or about July 20, 2000, Edwin Kelekolio, Jr. met with another person at the Farmer's Market parking lot, located near Ward Avenue, Honolulu, Hawaii, for the purpose of receiving a \$66,000 payment for two (2) pounds of crystal methamphetamine, which Kelekolio, Jr. had previously received from IOSUA TUUMALO.

All in violation of Title 21, United States Code, Section 846.

COUNT 5

The Grand Jury further charges that:

On or about July 20, 2000, in the District of Hawaii, IOSUA TUUMALO did unlawfully, knowingly and intentionally use and carry a firearm, in furtherance of any such crime, possess a firearm, that is, a Smith & Wesson .45 caliber semi-automatic, serial number TFR1057, during and in relation to a drug trafficking crime in which he may be prosecuted in a court of the United States, that is, the offense set forth in Count 4 of this

Indictment, which is realleged and incorporated by reference herein.

All in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 6

The Grand Jury further charges that:

On or about July 20, 2000, in the District of Hawaii, IOSUA TUUMALO did unlawfully, knowingly and intentionally use and carry a firearm in furtherance of any such crime, possess a firearm, that is, an Interdynamic 9mm. Luger KG-99, semi-automatic, serial number 16424, during and in relation to a drug trafficking crime in which he may be prosecuted in a court of the United States, that is, the offense set forth in Count 4 of this Indictment, which is realleged and incorporated by reference herein.

All in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 7

The Grand Jury further charges that:

From a date unknown, but from at least August 18, 1998, to on or about July 20, 2000, within the District of Hawaii and elsewhere, IOSUA TUUMALO, defendant herein, did conspire with Edwin Kelekolio, Jr., and Mailei Loa, who are not charged in the First Superseding Indictment, and with others unknown to the

Grand Jury, to unlawfully and knowingly combine, conspire, confederate and agree among themselves and with each other, to knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, transferring monies through personal couriers, which involved the proceeds of a specified unlawful activity, that is, drug trafficking, with the intent to promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i) and (h).

OVERT ACTS

In furtherance of the conspiracy and to accomplish the objects thereof, the following overt acts were committed in the District of Hawaii and elsewhere by members of the conspiracy:

1) On or about August 18, 1998, IOSUA TUUMALO deposited \$5,000 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$5,000 represented drug proceeds.

2) On or about December 2, 1998, IOSUA TUUMALO withdrew \$3,000 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$3,000 represented drug proceeds.

3) On or about June 8, 1999, IOSUA TUUMALO withdrew \$6,000 in bank account number 074700013003213 at the Santa Clara

Branch of Washington Mutual Bank. The \$6,000 represented drug proceeds.

4) On or about September 29, 1999, IOSUA TUUMALO deposited \$3,500 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$3,500 represented drug proceeds.

5) On or about November 22, 1999, IOSUA TUUMALO deposited \$6,000 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$6,000 represented drug proceeds.

6) On or about December 21, 1999, IOSUA TUUMALO deposited \$4,500 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$4,500 represented drug proceeds.

7) On or about December 22, 1999, IOSUA TUUMALO deposited \$5,024 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$5,024 represented drug proceeds.

8) On or about December 23, 1999, IOSUA TUUMALO deposited \$5,000 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$5,000 represented drug proceeds.

9) On or about January 5, 2000, IOSUA TUUMALO deposited \$5,000 in bank account number 074700013003213 at the

Santa Clara Branch of Washington Mutual Bank. The \$5,000 represented drug proceeds.


10) On or about June 16, 2000, IOSUA TUUMALO deposited \$5,000 in bank account number 074700013003213 at the Santa Clara Branch of Washington Mutual Bank. The \$5,000 represented drug proceeds.

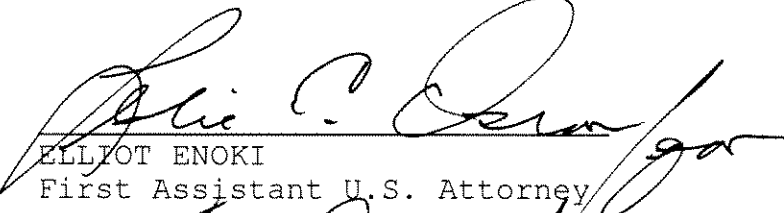
DATED: Nov 8, 2000, at Honolulu, Hawaii.

A TRUE BILL

15/

FOREPERSON, GRAND JURY


STEVEN S. ALM
United States Attorney
District of Hawaii


ELLIOT ENOKI
First Assistant U.S. Attorney


THOMAS J. BRADY
Assistant U.S. Attorney

United States v. Iosua Tuumalo
"First Superseding Indictment"
Cr. No. 00-00319 SOM